



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Ref: 8ENF-L

May 10, 2011

Adam Cohen  
Counsel for Atlantic Richfield  
Davis Graham & Stubbs  
1550 Seventeenth Street, Suite 500  
Denver, CO 80202

Re: Atlantic Richfield Response to EPA's Unilateral Administrative Order for Rico, Dolores County, Colorado, Docket No. CERCLA 08-2011-0005.

Dear Mr. Cohen,

Thank you for your email and Mr. Halsey's letter in response to EPA's March 17, 2011 Unilateral Administrative Order (UAO). The letter stated that, pursuant to Section VII of the UAO, "Atlantic Richfield intends to comply with the lawful requirements of the UAO for the performance of a removal at the Rico-Argentine Site." Section IV, Paragraph C of the letter indicated that Atlantic Richfield objects to reimbursing EPA for oversight costs and does not intend to purchase a letter of credit to provide financial assurance for the performance of Work at the Site.

If Atlantic Richfield's main issue is with the letter of credit, please be advised that EPA would also be willing to accept a surety bond or trust fund for financial assurance. Nevertheless, EPA believes all aspects of the Order is lawful, and reserves any and all rights under the UAO, CERCLA and the NCP to enforce any provision of the UAO. EPA looks forward to working with Atlantic Richfield to ensure successful completion of the removal action. Steve Way will be providing a written response to the technical requests contained in the letter. Feel free to contact me with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Amelia Piggott", is written over a circular stamp. The stamp contains the text "REGION 8" and "U.S. EPA".

Amelia Piggott  
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U.S. EPA Region 8  
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cc: Matt Cohn, EPA  
Steve Way, EPA  
Carol Pokorny, EPA  
Bill Duffy, Davis Graham & Stubbs  
Chuck Stilwell, Atlantic Richfield Company  
Steve Dischler, Atlantic Richfield Company

